

DANIEL MALAKAUSKAS, *Cal. Bar No.:265903*  
MALAKAUSKAS LAW, APC  
7345 South Durango Drive  
Suite B-107-240  
Las Vegas, NV 89113  
Tel: 866-790-2242 / Fax: 888-802-2440  
daniel@malakauskas.com

*Attorney for Plaintiff: Meryl Pomponio*

JOHN C. KIRKE, *Cal. Bar No.:175055*  
DONAHUE FITZGERALD, LLP  
1999 Harrison Street, 26<sup>th</sup> Floor  
Oakland, CA 94612  
Tel: 510-251-7166  
jkirke@donahue.com

*Attorneys for Defendants: Gomez Supermarket Corporation,  
Las Montanas Market, Inc., Manuel and Elba Gomez LLC*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

**MERYL POMPONIO,**

Plaintiff,

v.

**GOMEZ SUPERMARKET  
CORPORATION**, as an entity and doing  
business as “Las Montanas Supermarket”, **LAS  
MONTANAS MARKET, INC.**, as an entity  
and doing business as “Las Montanas  
Supermarket”, **MANUEL AND ELBA  
GOMEZ LLC**, and **DOES 1-50**, Inclusive,

Defendants.

Case No.: 3:21-cv-9757-LB

**STIPULATED DISMISSAL WITH  
PREJUDICE**

1       **IT IS HEREBY STIPULATED** by and between the parties in this action through their  
2 designated counsel, that this action be and is hereby dismissed in its entirety, **WITH PREJUDICE**,  
3 pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii). The parties shall bear their own costs  
4 and attorney fees in connection with the lawsuit and the negotiation and preparation of any  
5 agreement entered into by such parties.

6  
7  
8 Date: May 1st, 2023

/s/Daniel Malakauskas

By: Daniel Malakauskas, of,  
MALAKAUSKAS LAW, APC,  
Attorney for Plaintiff

9  
10  
11 Date: May 1st, 2023

/s/John C. Kirke

By: John C. Kirke, of,  
DONAHUE FITZGERALD, LLP,  
Attorneys for Defendants, *Gomez  
Supermarket Corporation,  
Las Montanas Market, Inc., Manuel  
and Elba Gomez LLC*